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असाधारण

EXTRAORDINARY

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PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on 10th March, 2005:—

BILL No. 39 OF 2005

A Bill further to amend the Government of Union Territories Act, 1963 and to amend the Government of National Capital Territory of Delhi Act, 1991.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. This Act may be called the Government of Union Territories and the Government of National Capital Territory of Delhi (Amendment) Act, 2005. Short title.

CHAPTER II

AMENDMENTS TO THE GOVERNMENT OF UNION TERRITORIES ACT, 1963

- Amendment of section 3. 2. In section 3 of the Government of Union Territories Act, 1963 (hereafter in this Chapter referred to as the Union Territories Act), in sub-section (5), in the *Explanation*, in the proviso,—
- 20 of 1963.
- (i) for the figures "2000", the figures "2026" shall be substituted;
- (ii) for the figures "1971", the figures "2001" shall be substituted.
- Amendment of section 38. 3. In section 38 of the Union Territories Act, in clause (b), for the words and figures "the Delimitation Commission Act, 1962", the words and figures "the Delimitation Act, 2002" shall be substituted.
- 61 of 1962.
33 of 2002.
- Amendment of section 43E. 4. In section 43E of the Union Territories Act,—
- (i) for the figures "2000", the figures "2026" shall be substituted;
- (ii) for the figures "1971", the figures "2001" shall be substituted.

CHAPTER III

AMENDMENT TO THE GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI ACT, 1991

- Amendment of section 3. 5. In section 3 of the National Capital Territory of Delhi Act, 1991, in the *Explanation*, for the proviso, the following proviso shall be substituted, namely:—
- 1 of 1992.
- "Provided that the reference in this *Explanation* to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year 2026 have been published, be construed as a reference to the 2001 census."

STATEMENT OF OBJECTS AND REASONS

The Constitution (Eighty-fourth Amendment) Act, 2001 has extended the constitutional embargo on undertaking fresh delimitation of electoral constituencies up to the year 2026 A.D. and simultaneously provided for undertaking the readjustment and rationalization of electoral constituencies, including those reserved for the Scheduled Castes and the Scheduled Tribes, based on the population census for the year 1991, without affecting the number of seats allocated to States in the legislative bodies. The Constitution (Eighty-seventh Amendment) Act, 2003 provides for readjustment and rationalization of electoral constituencies, including those reserved for the Scheduled Castes and the Scheduled Tribes, based on the population census for the year 2001. This exercise, however, does not affect the overall number of seats allocated to the States and Union territories in the legislative bodies. These provisions apply only to States and not to Union territories.

2. As far as delimitation with respect to Union territories is concerned, the Government of Union Territories Act, 1963 and the Government of National Capital Territory of Delhi Act, 1991 respectively contain provisions, which are based on the 1971 and 1991 census. These provisions also put an embargo on fresh allocation of seats in the Legislative Assemblies of Pondicherry and National Capital Territory of Delhi up to the year 2000.

3. It is proposed to amend the Government of Union Territories Act, 1963 and the Government of National Capital Territory of Delhi Act, 1991 on the same lines of the amendment made to the Constitution by the Constitution (Eighty-fourth Amendment) Act, 2001 and the Constitution (Eighty-seventh Amendment) Act, 2003.

4. The Bill seeks to achieve the above objects.

NEW DELHI;

SHIVRAJ V. PATIL.

The 18th February, 2005.

G. C. MALHOTRA,
Secretary-General.